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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

**FELIPE KELLY, individually and on behalf of all  
others similarly situated,**

**Plaintiff,**

**v.**

**BROOKLYN EVENTS CENTER, LLC d/b/a  
BARCLAYS CENTER, LEVY PREMIUM  
FOODSERVICE LIMITED PARTNERSHIP, and  
PROFESSIONAL SPORTS CATERING LLC,**

**Defendants.**

**No. 1:17-cv-4600 (KAM)(RLM)**

**NOTICE OF PLAINTIFF'S UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT,  
CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS,  
APPOINTMENT OF CLASS COUNSEL, AND  
APPROVAL OF PLAINTIFF'S PROPOSED NOTICE OF SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement, Conditional Certification of Settlement Class, Appointment of Class Counsel, and Approval of Plaintiff's Proposed Notice of Settlement ("Motion for Preliminary Approval") and in the Declaration of Ossai Miazad in Support of Plaintiff's Unopposed Motion for Preliminary Approval ("Miazad Decl."), and the supporting exhibits attached thereto, Plaintiff respectfully requests that the Court enter an Order:

- (1) granting preliminary approval of the Settlement Agreement, attached as **Exhibit A** to the Miazad Decl.;
- (2) conditionally certifying the settlement class under Fed. R. Civ. P. 23(a) and (b)(3) for purposes of effectuating the settlement;
- (3) appointing Plaintiff's Counsel as Class Counsel;
- (4) approving the proposed Notice of Class Action Settlement and Claim Form, attached as Exhibit B to the Miazad Decl., and directing their distribution; and
- (5) granting such other, further, or different relief as the Court deems just and proper.

\* \* \*

Plaintiff submits a Proposed Order, attached to the Miazad Decl. as **Exhibit C** for the Court's convenience.

Dated: September 12, 2018  
New York, New York

Respectfully submitted,

/s/ Ossai Miazad  
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***Attorneys for Plaintiff and the Putative  
Settlement Class***